

PATENT  
Attorney Docket No. 07738.0147-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Grant E. DUBOIS et al. ) Group Art Unit: 1761  
)  
Application No.: 09/838,809 ) Examiner: Carolyn A. PADEN  
)  
Filed: April 20, 2001 )  
)  
For: NON CALORIC FROZEN ) Confirmation No.: 3526  
CARBONATED BEVERAGE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

VIA EFS-Web

Sir:

**PETITION FOR EXTENSION OF TIME**

Applicants petition for a three (3) month extension of time to file the enclosed Request for Continued Examination and Submission Under 37 C.F.R. § 1.116 in reply to the Final Office Action of March 22, 2006. The fee of \$1,020.00 is paid by credit card using the RAM system.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 22, 2006

By: Robert Stanley #55,830  
Lori-Ann Johnson  
for Reg. No. 34,498